

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 1-4 are presently active in this case. The present amendment amends Claims 1-3 and adds Claim 4. The present amendment of Claims 1-3, and the addition of new Claim 4, find non-limiting support in the disclosure as originally filed, for example at page 9, lines 8-19, with corresponding Figure 4. Therefore, Applicants respectfully submit that the present amendments do not add new matter.

The outstanding Office Action objected to the title as non-descriptive; and rejected Claims 1-3 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,977,811 to Fleck et al. (herein "Fleck") in view of U.S. Patent No. 7,038,717 to Dow et al. (herein "Dow").

Turning now to the outstanding objection to the title, the title of the invention is amended by the present amendment. Applicants respectfully submit that the changes to the title do not raise a question of new matter. Thus, it is respectfully requested that the objection to the title be withdrawn.

In order to vary the scope of protection recited in the claims, new Claim 4 is added. New Claim 4 finds non-limiting support in the disclosure as originally filed, for example at page 9, lines 8-19, with corresponding Figure 4.

Claim 1 is amended to recite, in part, "wherein the common button and the cursor key are provided near one end in an axial direction of a hinge pin between the display and a keyboard." This feature finds non-limiting support in the disclosure as originally filed, for example at page 9, lines 8-19, with corresponding Figure 4. Therefore, Applicants believe that this change to Claim 1 does not raise a question of new matter.

In response to the rejection of Claims 1-3 under 35 U.S.C. § 103(a), Applicants respectfully traverse this rejection, as discussed below.

Briefly recapitulating, Applicants' invention relates to an information processing apparatus with enhanced operability. More specifically, amended Claim 1 recites an information processing apparatus including a display, a common button functioning as both an activation button for activating a predetermined program and a determination button for determining an item selected from options appearing on the display while the predetermined program is activated, at least one cursor key for selecting the item, the cursor key is adjacent to the common button, wherein the common button and the cursor key are provided near one end in an axial direction of a hinge pin between the display and a keyboard.

As explained in Applicants' specification at page 2, line 25 to page 3, line 7, Applicants' invention improves upon conventional information processing devices by providing an information processing device wherein different operations in an auxiliary input program can be performed without requiring the user to move his hands. Additionally, when the Applicants' information processing apparatus is used as a portable apparatus, the user can operate the common button and at least one cursor key while grasping the main unit with both hands. Further, as explained in Applicants' specification at page 14, lines 14-22, and as shown in Figures 5 and 6, the user can operate the pointing device, the cursor keys, and the common button with a single hand while grasping the unit with that same hand. Thus, operability and usability are enhanced.

Turning now to the cited references, Fleck describes a keyboard with a mouse for a handheld portable computer. Specifically, Fleck describes a portable computer 100 with a first portion 102 that includes a mouse button 300, right and left arrow buttons 302 and 304, and up and down arrow buttons 306 and 308.¹ Additionally, Fleck describes a plurality of hot keys that includes e-mail, calendar, web, contacts, word, and desktop hot keys.² However, one of ordinary skill in the art reading Fleck would understand that an operator could not

¹ See Fleck, column 5, lines 1-25 with corresponding Figure 3.

² See id., column 6, lines 18-27 with corresponding Figure 3.

operate the hot keys, the mouse 300, the up and down arrows 306 and 308, and the left and right arrows 302 and 304 without moving the operator's hands. Additionally, it is respectfully submitted that it is clear from Figure 3 of Fleck that the hot keys are not provided near one end in an axial direction of a hinge pin between the display and a keyboard. Therefore, it is respectfully submitted that Fleck does not teach or suggest "wherein the common button and the cursor key are provided near one end in an axial direction of a hinge pin between the display and a keyboard," as recited in amended Claim 1.

Turning now to Dow, Dow describes an appliance and method for menu navigation. Specifically, Dow describes an appliance 22 with a flat panel display 24 along with user buttons 26, 28, 32, 34, 36, and 38, and user navigation buttons 42, 46, 44, and 48.³ The outstanding Office Action cites Dow "to teach a common button for determining an item selected from options appearing on the display while the predetermined program is activated."⁴ However, it is respectfully submitted that one of ordinary skill in the art would understand that an operator of the apparatus 22 described in Dow would not be able to operate both the common key and the cursor key while holding the apparatus with both hands. Additionally, as shown in Figure 1A of Dow, the hot keys are not near one end in the axial direction of a hinge pin. Thus, it is respectfully submitted that Dow does not teach or suggest "wherein the common button and the cursor key are provided near one end in an axial direction of a hinge pin between the display and a keyboard," as recited in amended Claim 1.

Further, Applicants respectfully traverse the obviousness rejection based on Dow and Fleck because there is insufficient evidence for a motivation to combine Fleck with Dow. Dow describes operational buttons (26, 28, 32, and 34) and navigation buttons (42, 44, 46, and 48) which are on opposite sides of the display 24, as shown in Figure 1A. Fleck describes hot keys which are arranged across the top of the keyboard and up, down, left, and

³ See Dow, column 5, lines 19-32 with corresponding Figure 1A.

⁴ See the outstanding Office Action at page 2, paragraph 3.

rights arrows (306, 308, 304, and 302) which are arranged in an upper right corner of the keyboard. Therefore, combining the operational buttons described in Dow with the apparatus described in Fleck would not allow a user to operate the apparatus smoothly when selecting an item. It would be difficult and awkward for a user who is grasping the apparatus with both hands to operate the apparatus due to the location of the button. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine Fleck with Dow.

Neither Dow nor Fleck teach or suggest “the common key and the cursor key,” as defined in amended Claim 1. Therefore, it is respectfully submitted that Dow and Fleck fail to teach or suggest every element recited in amended Claim 1. Thus, it is respectfully requested that the rejection of Claim 1, and Claims 2 and 3 which depend therefrom, as unpatentable over Fleck in view of Dow, be withdrawn.

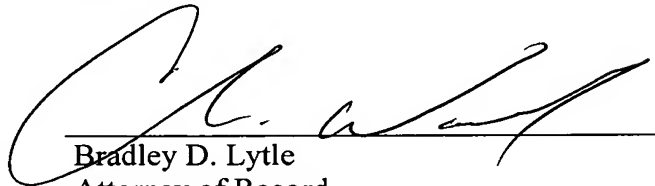
New Claim 4 depends from Claim 1. As discussed above, it is respectfully submitted that Claim 1 is allowable. Therefore, as Claim 4 depends from Claim 1 in addition to reciting additional features not taught or suggested by the cited references, it is respectfully submitted that Claim 4 is allowable.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Christopher D. Ward
Registration No. 41,367

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

BDL\CDW\CBH\la
I:\ATTY\CBH\SONY-6541\247954US\247954US-AM.DOC